



**STATE OF MONTANA  
DEPARTMENT OF CORRECTIONS  
POLICY DIRECTIVE**

Policy No. DOC 1.1.8	Subject: <b>MEDIA RELATIONS</b>
Chapter 1: ADMINISTRATION AND MANAGEMENT	Page 1 of 7 and Attachments
Section 1: General Administration	Effective Date: Dec. 1, 1996
Signature: /s/ Bill Slaughter, Director	Revision Dates: 03/26/02; 01/18/06

## **I. POLICY**

The Department of Corrections will maintain positive, informative relationships with the public, the media, and other agencies with related functions. It will provide timely, complete, and accurate information on Department operations, accomplishments, critical incidents and emergencies in compliance with all statutes that govern confidentiality, public information and the rights of privacy.

## **II. APPLICABILITY**

All Department divisions, facilities and programs.

## **III. REFERENCES**

- A. 2-6-102, 2-15-112, 41-5-215, 41-5-216, 46-23-504, 46-23-508; *Montana Code Annotated*.
- B. 4-4019, 4-4020, 4-4021, *ACA Standards for Adult Correctional Institutions, 4<sup>th</sup> Edition*; 3-JTS-1A-27, *ACA Standards for Juvenile Correctional Facilities*
- C. *DOC Policies 1.5.6, Offender Records Access and Release; 1.8.1, Victim Rights and Notification; 3.3.4, Media Access to Offenders.*

## **IV. DEFINITIONS**

Program – For the purpose of this policy, any prison, correctional facility, or community-based program operated under Department jurisdiction or contract.

Program Administrator – For the purpose of this policy, division administrators, wardens, superintendents, and adult and juvenile community facility or program supervisors and directors.

Offender – Any individual in the custody or under the supervision of the Department of Corrections or its contracted service providers.

Communications Director – An official spokesperson for Department programs, policies, and plans, who develops Department communications policy and procedure and ensures the public is given accurate, consistent, and timely information.

Public Information Officer (PIO) – An official spokesperson designated by the program administrator to provide facility or program information to the public.

News Media Plan – Written procedures that guide public information officers' ongoing contact with the news media.

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News Media Representatives – Qualified and properly identified general circulation newspaper representatives; local, regional, or national circulation magazines sold or offered through newsstands or mail subscriptions to the general public; Internet-based news organizations; and national and international news services and radio and television stations holding a Federal Communications Commission license.

News Release – An official Department written statement distributed to the news media to inform the public and provide media coverage related to Department business.

## **V. DEPARTMENT DIRECTIVES**

### **A. General Requirements**

1. All programs will develop a media plan to establish and maintain working relationships with the public and news media.
2. Program staff will consult with the Department's communication director to ensure all media plans are consistent.
3. Each program administrator will designate a staff member as PIO and program spokesperson for contacts with the media.
4. PIOs will handle the facility or program day-to-day public and media relations duties subject to the administrator's guidance and direction and in keeping with the Department's and governor's media plan.
5. The communications director and PIOs will provide current, factual verbal and and written information to the media; however, at times information for immediate release is limited by the confidentiality, safety, and security needs of the program.
6. Every effort will be made to provide the public and media with as much information as possible and to establish times when additional information may be available.

### **B. Media Access to Adult Programs**

1. The Department encourages program administrators to make every effort to accommodate media on-site program visits.
2. News Media Representatives:
  - a. may arrange on-site program visits as staff availability and time permit;
  - b. must provide program administrators with sufficient notice and request visits at reasonable times of day; and
  - c. may interview offenders consistent with program security needs, staff ability to arrange interviews and provide escorts, and the willingness of offenders to speak with the media.
3. Prior to scheduling an interview, offenders must sign a written consent form. The form must be accessible to program staff (see Attachment A).

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### **C. Media Access to Juvenile Programs**

1. The requirements for news media access to juvenile programs is more restrictive than for adult programs.
2. To access juvenile programs, news media representatives will:
  - a. sign a Department confidentiality form upon program admission (see Attachment B);
  - b. agree not to identify juvenile offenders by name; and
  - c. agree not to film or photograph juvenile offenders in a manner that allows for visual identification;
3. Although media representatives are invited to examine programs and interview offenders, any photography will be conducted in a manner that prevents offender identification.
4. In accordance with confidentiality requirements for juvenile offenders in correctional facilities, staff may only provide media representatives with information confirming whether a specific offender is in residence.

### **D. Media Spokespersons**

1. The Director, the Department communications director, program administrators, and PIOs will be the designated spokespersons for correctional programs.
2. Other Department employees, or employees of programs contracting with the Department, will not comment to the news media as official Department spokespersons unless specifically requested to do so by the administrator or the Director.
3. Department staff is not authorized to publish or release original printed materials developed by the Department without prior approval from an administrator, the Department communications director, or the Director.
4. Department staff wishing to speak to the media as private citizens, not as representatives of the Department, will make such contacts during off-duty hours and make clear to the media they are representing their own personal views, not those of the Department.

### **E. Media Inquiries**

1. The Department communications director and program PIOs will promptly and accurately respond to all media inquiries.
2. Program PIOs will generally only provide information specific to their programs. Other inquiries, about which there may be questions, will be referred to the communications director.
3. In emergencies, the facility or program administrator may limit public and media access to programs, and:
  - a. identify a press spokesperson to periodically brief all media; and
  - b. locate a media briefing center away from tactical operations if an emergency continues for an extended period of time.

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## **F. Release of Information**

1. Typically, the communications director and program PIOs will handle the release of information to the public and news media.
2. The communications director will:
  - a. release information to the public and news media about unrestricted Department operations, policies, procedures, and issues; and
  - b. advise and assist program PIOs in matters that relate to national and international news media requests for access to, or information about, a Department program.
3. The PIOs will:
  - a. provide the public and media information pertaining to their respective programs;
  - b. promptly report any contact from a national or international news representative to the communications director;
  - c. promptly contact the communications director if a local reporter's inquiry involves a controversial issue or may impact the Department; and
  - d. routinely provide the media with newsworthy coverage about a range of Department operations and activities, the contents of which will be provided to the communications director on an as-needed basis or, in the event of emergency, at the earliest possible opportunity.
4. Department employees:
  - a. will refer all media inquiries about official Department business to the program PIOs or administrator;
  - b. will refer media inquiries for staff information to the program administrator who will consult with the Department prior to any information that may be in question; and
  - c. will not make official statements on behalf of the Department or program unless authorized to do so by the communications director, PIO, or program administrator.
5. The Duty Officer will:
  - a. respond to media inquiries after normal duty hours or refer inquiries to the person designated by the program administrator as spokesperson; and
  - b. contact the administrator and communications director if an inquiry pertains to an issue that may affect the entire Department or generate significant media coverage.

## **G. Release of Information Restrictions**

1. By law, the Department cannot release offender information regarding psychiatric, medical, or juvenile criminal histories. An exception applies to sexual or violent offenders who are required by the sentencing court to register under *Section 46-23-504, MCA, Persons Required to Register*; and *Section 46-23-508, MCA, Dissemination of Information*.
2. Programs will honor media requests for offender information of public record. If there is a question about the legitimacy of an inquiry, or if there is an issue of confidentiality,

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requests should be referred to the appropriate administrator or to the Department's Legal Services Bureau.

### 3. Adult Offenders

- a. when the PIO or the program administrator determine there is no security risk involved, news organizations may copy adult offender photographs;
- b. the Department will authorize offender interviews when there is no direct threat to program security, and only after the offender, and when appropriate, the offender's attorney, has provided written authorization; and
- c. programs will release the following adult offender information unless there is a restriction on the release, or if an offender is officially designated as an "identity protection" case:
 

<ul style="list-style-type: none"> <li>• current photograph</li> <li>• name</li> <li>• gender</li> <li>• date eligible for parole</li> <li>• date of execution of warrant</li> <li>• FBI number</li> <li>• date sentenced</li> <li>• fine(s) imposed</li> <li>• good time allowance and rate</li> <li>• good time expiration date</li> <li>• incarceration credit time</li> <li>• facility of confinement</li> <li>• judicial district of release</li> <li>• court docket number/offense</li> <li>• reason for change of sentence</li> <li>• release destination</li> <li>• sentencing judge's name</li> <li>• transfer destination</li> <li>• physical description</li> <li>• nature of injury to an offender</li> </ul>	<ul style="list-style-type: none"> <li>• crime committed</li> <li>• incarceration date</li> <li>• judicial district of confinement</li> <li>• full term expiration date</li> <li>• age</li> <li>• date of birth</li> <li>• date of commitment or release</li> <li>• date execution of sentence began</li> <li>• mandatory release date (if any)</li> <li>• race</li> <li>• offender ID number</li> <li>• sentence term</li> <li>• time of commitment or release</li> <li>• time served</li> <li>• work assignments</li> <li>• sentence and criminal conviction record</li> <li>• death (the identity of a deceased offender will be withheld until next-of-kin has been notified, or 24 hours following death, whichever occurs first).</li> </ul>
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### 4. Juvenile Offenders

- a. although *Section 41-5-215, MCA*, provides for public inspection of all information filed with the clerk of court, Department programs may restrict provision of specific juvenile offender information to media representatives;
- b. programs may release the following information on youthful offenders under Department custody:
  - disclosure of the juvenile offender's presence at the program
  - the physical description of a juvenile offender in the event of an escape

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- the county of residence of a juvenile offender in the event of an escape
  - the committing offense of an offender in the event of an escape
  - the circumstances of an escape
- c. programs will refer media representatives to the committing jurisdiction for any specific information related to a particular juvenile offender.

#### **H. News Releases**

1. The communications director, or designee, will review and approve all news releases prior to release.
2. In the event of an emergency, the Department will fax releases to news organizations throughout the state.
3. The communications director and program PIOs will maintain a file of information released to the media. Media representatives may review the file but must schedule the review for normal working hours.

#### **I. News Clippings and Videotaped News Coverage**

1. When possible, the communications director or program spokesperson will record radio or television news coverage involving the Department.
2. The program spokesperson will forward copies of videotapes and newspaper clippings pertaining to Department or program activities to the communications director.

#### **J. Responsiveness to the Media**

Each program will operate in a way that encourages a better public understanding of program goals and operational procedures, and will:

1. Provide prompt, complete responses to all correspondence and other requests from the media.
2. Participate in organizations and meetings that assure cooperation with other criminal justice agencies in information gathering, exchange, and standardization, including strategic and contingency planning at federal, state, and local levels.
3. Provide access to programs through structured media visits, as well as for community members, academic professionals, law enforcement agencies, victims and their families, and other selected groups and organizations.
4. Meet on a regular basis with media staff and editorial boards to address areas of mutual concern about the newsworthy event coverage that relates to the department.

#### **K. Written and Verbal Inquiries**

1. News media representatives will route verbal and written inquiries to the communications director, PIOs, Department director, or an administrator, depending on the nature of the inquiry.

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2. The Department director will answer inquiries that only require a telephone response the same working day in which they were received, or as soon thereafter as possible.
3. Written responses will be made within two weeks of receipt of the inquiry.
4. In cases where a response may be significantly delayed, an interim verbal or written response will be provided.

#### **L. Filmmaker and Writer Access to Programs**

1. Filmmakers, writers for non-news magazines, and other related personnel will direct inquiries about access to correctional programs to the communications director.
2. The Corrections' Department director and program administrator will consult and consider permission for access on a case-by-case basis.
3. Filmmakers and writers will be subject to the established rules on offender confidentiality.

#### **M. Denial of Media Access**

1. When the Department Director, or designee, declares a facility state of emergency, the Department director, communications director, PIO, or program administrator may deny media access to programs.
2. The appropriate staff will lift the emergency restriction as soon as possible without jeopardizing the safety and security of the program, staff, or offenders.
3. During emergencies, and to the extent possible, regular briefings will be scheduled to ensure the flow of timely information to the media.

### **VI CLOSING**

Questions concerning this policy should be directed to the program PIO or the Department communications director.

### **VII. ATTACHMENTS**

Interview/Photo Consent Form	(Attachment A)
Juvenile Confidentiality Form	(Attachment B)

**MONTANA DEPARTMENT OF CORRECTIONS**  
**Interview /Photo Consent Form**  
**For Adult & Juvenile Offenders**



I, \_\_\_\_\_

DOC ID #: \_\_\_\_\_

in response to a request properly made by: \_\_\_\_\_  
(Name/Organization)

grant permission to the above-named requesting party to conduct an interview and record the same both manually and electronically and/or take photographic portraits or pictures, moving pictures, audio/visual recordings, or other imaging according to the box checked below, with the understanding that if I am a juvenile, no verbal or photographic depictions of me will disclose my identity. I further grant permission to the requesting party and those acting under its authority to copyright, use, and publish for advertising, instruction or any other lawful purpose whatsoever, any statements, in full or in part, made by me during such interview, and any photographic portraits or pictures, moving pictures, audio/visual recordings, or other imaging of me in which I may be included in whole or in part.

I do hereby waive any right I may have to inspect or approve the finished product or the use to which it may be applied; and release the Montana Department of Corrections, its successors and assigns, and all persons acting under its permission or authority, from any liability by virtue of the use and publication of said interview and/or images.

I relinquish and give to the requesting party all right, title, and interest that I may have in the finished product, copies thereof, and materials used in its production; and further grant the requesting party the right to give, sell, transfer, and exhibit said product or any portion, copy or facsimile thereof, for any purpose it deems necessary and proper.

I do further waive all rights that I may have to any claims for payment or royalties in connection with any exhibit, publication, broadcast, or other use of said finished product or portion thereof.

I hereby **CONSENT** to: ☐ **Interview & Visual Representations** ☐ **Interview Only** ☐ **Photograph Only**

\_\_\_\_\_  
Offender Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Legal Guardian

\_\_\_\_\_  
Date

\_\_\_\_\_  
Department, Facility, or Program Official

\_\_\_\_\_  
Date

I hereby **REFUSE**: ☐ **Both Interview and Photography or Visual Representation**

\_\_\_\_\_  
Offender Signature

\_\_\_\_\_  
Date

*This consent becomes invalid 30 days after the date of offender's signature.*



MONTANA  
DEPARTMENT OF CORRECTIONS  
**JUVENILE CONFIDENTIALITY FORM**



I, the undersigned, understand that any information or any identities of offenders that are disclosed to me or learned by me, while I am at a juvenile facility or program, or associated with the Juvenile Corrections Division, is confidential.

I am aware that State law protects this confidentiality and that I am prohibited from making any disclosure of such information except as provided in the law. I hereby agree that I will follow State law and Department of Corrections policy in the release of information.

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Signature

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Date

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Signature of Witness

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Date